

SAMPLE ORDINANCE

_____ COUNTY ORDINANCE NO. _____

AN ORDINANCE AMENDING THE _____ COUNTY ZONING MAP AND
THE _____ COUNTY LAND USE ORDINANCE IN COMPLIANCE WITH
THE LARGE CONCENTRATED ANIMAL FEEDING OPERATIONS ACT.

WHEREAS, the Utah State Legislature has enacted the Large Concentrated Animal Feeding Operations Act (herein “Large CAFO Act”), codified as Utah Code sections 17-27a-1101 *et seq.*;

WHEREAS, said Large CAFO Act requires the County to, by February 1, 2022, adopt a large concentrated animal feeding operations land use ordinance designating geographic areas within the County where such operations may be approved;

WHEREAS, the County [Commission] has considered the criteria required by said Large CAFO Act, as follows:

- A. Distances measured in feet from (1) residential zones; (2) health care facilities; (3) public areas; (4) education institutions; (5) religious institutions; (6) commercial enterprises; (7) municipal boundaries; and (8) state or county highways or roads;
- B. Prevailing winds;
- C. Topography;
- D. Economic benefits to the County; and
- E. Reasonable access to transportation, water, and power infrastructure;

WHEREAS, the County [Commission] has also considered the following additional criteria: [add any considered];

WHEREAS, the County [Commission] has also received public comment through public hearing[s], and received written public comment;

WHEREAS, the County [Commission] has not considered solely uniform setback distance requirements from the locations described above, but has determined the geographic area by evaluating all the criteria described above;

WHEREAS, the County [Commission], having considered all of the evidence provided regarding these criteria, and finding it necessary to comply with the Large CAFO Act, and to be in the best interest of the health, general welfare, and safety of the inhabitants of _____ County;

NOW THEREFORE, THE LEGISLATIVE BODY OF _____ COUNTY
HEREBY ORDAINS THAT THE _____ COUNTY ZONING MAP AND LAND
USE CODE BE AMENDED AS FOLLOWS:

1. The County [Commission] hereby ADOPTS a Large CAFO Overlay Zone, the CAFO Zone, and AMENDS the County Zoning Map in the manner attached hereto to show the geographic location[s] of the CAFO Zone within the County.

2. Large concentrated animal feeding operations, as defined by the Large CAFO Act, may be approved as conditional uses within the CAFO Zone.

3. Applications for conditional use permits to operate such facilities in the CAFO Zone shall proceed using the processes, application fees, and administrative remedies established for other conditional use applications in [reference ordinances].

4. These enactments shall be timely codified as seen fit by the County Attorney.

ADOPTED this _____ day of _____, 20__.

[NAME]
Chair, _____ County

ATTEST:

[NAME]
_____ County Clerk

Votes of the County _____ regarding adoption of the foregoing ordinance:

[Name] _____
[Name] _____
[Name] _____